

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TYRONE MCGHEE,)	CASE NO. 1: 07 CV 1408
)	
Petitioner,)	
)	JUDGE DONALD C. NUGENT
v.)	
)	
KHELLEH KONTEH, Warden,)	<u>JUDGMENT</u>
)	
Respondent.)	

Pursuant to a Memorandum Opinion and Order of this Court, the Report and Recommendation of Magistrate Judge George J. Limbert (ECF # 9), filed on January 25, 2008, is ADOPTED by this Court, and Petitioner's Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2254, on May 15, 2007 (ECF # 1), is DISMISSED WITH PREJUDICE. Petitioner's Objections to the Report and Recommendation (ECF # 10) are thereby DENIED.

Furthermore, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); FED. R. APP. P. 22(b).

IT IS SO ORDERED.

s/ Donald C. Nugent
DONALD C. NUGENT
United States District Judge

DATE February 1, 2008